
**Agriculture & Natural Resources
Committee**

HB 2698

Brief Description: Expanding the products considered to be potentially nonhazardous as they apply to cottage food operations.

Sponsors: Representatives Freeman, Overstreet, Smith and Tharinger.

Brief Summary of Bill

- Specifically allows baked candies to be produced by a cottage food operation.

Hearing Date: 2/4/14

Staff: Jason Callahan (786-7117).

Background:

The Washington State Department of Agriculture (WSDA) is authorized to adopt rules that allow for cottage food operations. Permitted cottage food operations are exempt from the state's commercial food service regulations and from licensing by public health jurisdictions. A cottage food operation is defined as a person who produces, in the kitchen of their domestic residence, a food that is not potentially hazardous.

Items that are expressly allowed to be sold by a cottage food operation, according to the rules adopted by the WSDA, include:

- baked good products that are cooked in an oven, such as loaf breads, rolls, biscuits, muffins, cakes, scones, cookies, crackers, cereals, trail mixes, candies that are cooked in an oven, certain pies, and nut mixes;
- standardized jams, jellies, preserves and fruit butters;
- recombining and packaging of dry herbs, seasoning and mixtures that are obtained from approved sources; and
- vinegar and flavored vinegars.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Potentially hazardous foods that are not allowed to be produced by a cottage food operator are those that require temperature control and are capable of supporting the rapid growth of pathogenic or toxigenic microorganisms.

Examples of prohibited foods, as provided in the rules adopted by the WSDA, include:

- fresh or dried meat or meat products (including jerky);
- canned fruits, vegetables, vegetable butters, and salsas;
- fish or shellfish products;
- canned pickled products;
- raw seed sprouts;
- bakery goods which require any type of refrigeration;
- tempered or molded chocolate;
- milk and dairy products;
- cut fresh fruits or vegetables and products made from them;
- garlic in oil mixtures;
- juices made from fresh fruits or vegetables;
- ice or ice products;
- barbeque sauces, ketchups, or mustards; and
- focaccia-style breads with vegetables or cheeses.

Summary of Bill:

Baked candies are specifically allowed to be produced by a cottage food operation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.